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GOVERNMENT OF KERALA

Food (D) Department

NOTIFICATION

No. G.O. (P) 22/81/Food. *Dated, Trivandrum, 22nd May 1981.*

S. R. O. No. 606/81.—Whereas the Government of Kerala are of the opinion that it is necessary and expedient so to do for ensuring the availability and distribution of unadulterated petrol, high speed diesel, cooking gas and petroleum-based lubricants at fair prices;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Government of India, Ministry of Mines and Fuel No. S. O. 3524 dated the 13th November, 1962, published at page 3842 of Part II, sub-section (ii) of section 3 of the Gazette of India dated the 24th November, 1962, the Government of Kerala hereby make the following Order, namely:—

ORDER

1. *Short title, extent and commencement.*—(1) This Order may be called the Kerala Petroleum Products Dealers' Licensing Order, 1981.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Definitions.*—In this Order, unless the context otherwise, requires,—

(a) "adulterated petroleum products" means petroleum products which do not conform to the specifications of 'petroleum class A' as defined in clause (b) of section 2 of the Petroleum Act, 1934 (Central Act 30 of 1934) or which do not conform to the quality prescribed by the Indian Standards Institution;

(b) "Carrier of Petroleum Products" means a person or company or other agency transporting any petroleum product for or on behalf of an Oil Company from a storage depot of the Oil Company to a dealer or to another storage depot of the Oil Company within the State or to a place outside the State and includes the Oil Company where such transport is undertaken by the Oil Company, the registered owner of the vehicle, the person having actual control over the vehicle and the driver of the vehicle;

(c) "Cooking gas" means liquified petroleum gas filled in metallic cylinders with high pressure and used for cooking purposes;

(d) "Collector" means the Chief Officer in charge of the Revenue administration of a district in Kerala;

(e) "Commissioner" means the Commissioner of Civil Supplies;

(f) "Consumer outlet" means a bunk permitted by an Oil Company for supply of petroleum products to meet the requirements of bulk consumers;

(g) "dealer" means a person engaged in the business of purchase, sale and storage for sale of petroleum products, duly appointed and authorised by an Oil Company but does not include an Oil Company;

(h) "dealer outlet" means a bunk permitted by an Oil Company for supply of petroleum products to the consumers in retail;

(i) "District Supply Officer" means the Officer appointed as such for a district;

(j) "existing dealer" means a person appointed by an Oil Company to store or sell petroleum products in retail and who has been functioning as such immediately before the date of commencement of this Order;

(k) "filter paper test" means a test conducted as follows:—

On a clean dry filter paper pour two or three drops of motor spirit from the sample drawn and hold the paper in the shade for a few minutes. Pure motor spirit should evaporate within two or three minutes, leaving no stain on the filter paper. If the sample is adulterated with kerosene oil, a stain will be left behind and it will take a much longer time to evaporate besides leaving a kerosene smell instead of smell of motor spirit;

(l) "Form" means a form appended to this Order;

(m) "licensing authority" means the Collector and includes the District Supply Officer;

(n) "lubricant" means petroleum-based lubricating oil/substance and includes such re-refined or re-cycled lubricating oil/substance;

(o) "motor vehicle" means a motor cycle, car, autorickshaw, bus, lorry or any other vehicle running on petrol or high speed diesel oil and used for the purpose of transporting men or material, but does not include a tractor with or without trailer;

(p) "new dealer" means a person appointed by an Oil Company to store or sell petroleum products in retail and who commences his operation on or after the date of commencement of this Order;

(q) "Oil Company" means the Indian Oil Corporation Limited, the Hindustan Petroleum Corporation Limited, the Bharat Petroleum Corporation Limited, the Hindustan Petroleum Corporation Limited (Visakh Marketing Unit) or the Indo-Burmah Petroleum Company Limited;

(r) "Petroleum Product" means motor spirit, high speed diesel oil, petroleum-based lubricants and cooking gas;

(s) "price of any petroleum product to be charged by a dealer" means the price fixed as such by the oil company.

3. *Licensing of dealers.*—(1) No person shall commence or carry on the business of storage or sale of any petroleum product in the State except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

(2) No existing dealer shall continue the business of storage or supply of any petroleum products without obtaining a licence from the licensing authority within 30 days from the date of commencement of this Order:

Provided that an existing dealer who has applied for a licence on payment of the requisite fee within 15 days of the commencement of this Order, shall be entitled to continue his business notwithstanding the expiry of the 30 days specified in this sub-clause until a decision rejecting his application is communicated to him.

(3) No person shall after the commencement of this Order possess, store or transport motor spirit or high speed diesel oil in excess of thirty litres and cooking gas in excess of ten cylinders of sixteen kilograms each except in accordance with the provisions of sub-clause (1) or sub-clause (2):

Provided that such limits shall not apply to carriers of petroleum products and to petroleum products in a tank fixed permanently to a vehicle owned or controlled by an Oil Company.

(4) Any appointment or change of any dealer made by any oil company shall be reported to the Collector. Such dealers will be given licences by the Collector. Pending issue of such licences, the dealer will be entitled to carry on his trade.

4. *Carriers of petroleum products to obtain licenses.*—(1) Every carrier of petroleum products shall apply to the Collector for the licence in respect of each vehicle intended to be used for the purpose of transporting petroleum products, in Form 'A' along with a Court fee stamp worth Rupees two affixed thereto and a chalan receipt in proof of remittance of licence fee of Rs. 30.00 (Rupees Thirty only) under the relevant head of account. After such verification as is found necessary by the Collector and if the applicant is found eligible to be issued a licence, he shall be required to furnish a security deposit of Rs. 5000 (Rupees five thousand) in cash or in a deposit with Post Office Savings Bank endorsed in favour of the Collector. On furnishing such security, the applicant shall be issued a licence in Form 'B'. Application for renewal of licence shall also be made in Form 'A':

Provided that the above provision shall not apply in respect of vehicles owned by an Oil Company.

(2) Every carrier of petroleum products existing immediately before the commencement of this Order shall be entitled to be issued licence from Collector, provided that a security deposit of Rupees five thousand in cash or in a deposit with Post Office Savings Bank endorsed in favour the Collector is submitted to the Collector. He shall also be entitled to carry on his business until such licences are issued to him, provided that the application for the licence with the security deposit has been submitted within 15 days of the commencement of this Order.

5. *No new consumer outlet to be opened.*—No new consumer outlet shall be permitted to consumers other than Covernment and Public Sector undertakings or organisations except with the prior concurrence of the Commissioner.

6. *Opening of new dealer outlets by Oil Companies.*—The Collector shall bring to the notice of the Oil Companies for necessary action, places where it may be advisable to open new dealer-outlets or change of existing dealer-outlets by new dealer-outlets.

7. *Prohibition of possession of petroleum products by non-oil company or non-dealer except in accordance with a permit.*—No person other than an oil company or a dealer shall have in his or its ownership, possession or control of petroleum products except in accordance with a permit given to him by the Collector or by an Officer authorised by him in this behalf in Form 'C':

Provided that this restriction shall not apply to carriers of petroleum products and to petroleum products in a tank fixed permanently to a motor evhicle, or in a can as provided in the proviso to sub-clause (i) of clause 8.

8. *Motor Spirit or high speed diesel oil to be delivered only into a motor vehicle or against a permit.*—(1) It shall not be lawful for any dealer to supply or for any person to receive motor spirit or high speed diesel oil except into a tank fixed permanently to a motor vehicle for use for its propulsion and cooking gas except in a cylinder of prescribed specifications meant for cooking purposes:

Provided that in an emergency to help a stranded motor vehicle a supply not exceeding five litres of motor spirit or high speed diesel oil may be made on requisition from the party. All such supplies shall be entered in a separate register with date, the registration number of the vehicle and the name and address of the party concerned.

(2) In respect of supplies of motor spirit/high speed diesel oil made into a tank permanently fixed to a motor vehicle for its propulsion, the quantity to be supplied at any time shall be subject to such restrictions as may be notified from time to time by the Commissioner or the Collector.

9. *Permit system for motor vehicles to be introduced if necessary.*—Notwithstanding anything contained in clause 8 it shall be lawful for the Commissioner in times of shortage or apprehended shortage to notify that supply of motor spirit/high speed diesel oil even into tank permanently attached to a motor vehicle shall require a permit.

10. *Weekly holidays for dealers.*—It shall be open to a dealer to close his place of business for 24 hours commencing from 6.00 a.m. on any day of his choice in a week to be observed as a weekly holiday:

Provided that he shall write to the Collector in advance and get this weekly holiday incorporated in his licence for dealing in petroleum products and shall display the same prominently in his premises.

11. *Application for and grant of dealer's licence.*—(1) Every application for a dealer's licence under clause 3 or renewal thereof from an existing dealer shall be in Form 'D'.

(2) Every application for a dealer's licence under clause 3 or renewal thereof from a new dealer shall be in Form 'E'.

(3) Every dealer's licence issued or renewed shall be in Form 'F'.

(4) Every application for a dealer's licence not accompanied by the following documents shall be liable to be rejected forthwith, namely:—

(i) A letter from the Oil Company appointing or agreeing to appoint him as a dealer;

(ii) The licence from the Collector under the Indian Explosives Act, 1884 for the storage of petroleum products;

(iii) Chalan in original evidencing the remittance of fee specified in clause 12.

(5) The licensing authority shall give the applicant an opportunity of being heard before refusing or suspending the licence and the licensing authority shall suspend or refuse the licence only for reasons to be recorded in writing.

(6) The licensing authority may in the interest of the general public and for reasons to be recorded in writing and after giving the applicant an opportunity to state his case refuse to renew his licence.

12. *Period of validity of licence, execution of agreement and payment of licence fees.*—(1) Every licence issued under this Order shall be valid for a period ending the 31st day of March of the financial year in which it is issued:

Provided that a licence may be renewed for more than one year but not exceeding three years at a time on payment of the renewal fee calculated for each year at the rate specified in sub-clause (3):

Provided further that no part of the fee once paid shall be refunded under any circumstances.

(2) Every dealer shall execute an agreement with the Taluk Supply Officer in Form 'Q'.

(3) The fees specified below shall be chargeable in respect of each licence, namely:—

(a) For the isuse of a dealer's licence	Rs. 15
(b) For the renewal of the dealer's licence for one year, or part thereof	Rs. 10
(c) For the issue of a duplicate dealer's licence	Rs. 30
(d) For the issue of a licence for carrier of petroleum products	Rs. 30
(e) For the renewal of the licence for carriers of petroleum products	Rs. 25
(f) For the issue of a duplicate licence for carriers of petroleum products	Rs. 60

13. *Deposit of security.*—Every dealer who is granted a dealer's licence under this Order shall, before the licence is issued to him, deposit Rs. 1000 (Rupees One thousand only) with the licensing authority for the due performance of the provisions of this Order and of the terms and conditions of the agreement executed subject to which the licence is granted to him.

14. *Dealer to keep materials for filter paper test.*—(1) It shall be the duty of every dealer of motor spirit to keep with him materials required for the filter paper test and a Can certified either by the Controller of Weights and Measures or an officer nominated by him or by the Oil Company as a correct measure of five litres or of such other quantity as may be specified by Government.

(2) The dealer of motor spirit/high speed diesel oil/cooking gas shall exhibit prominently in his premises a notice about the availability of facilities for filter paper test in respect of motor spirit supplied from that outlet and the availability of a Can for testing the measurement of motor spirit/high speed diesel oil.

15. *Prohibition against receiving or accepting motor spirit without filter paper test.*—(1) No dealer shall receive in his storage tank motor spirit without conducting a filter paper test on a sample thereof from the container or receptacle in which it is brought to his premises and he shall record the result of filter paper test in a register prescribed by the Commissioner.

(2) No dealer shall accept motor spirit from a carrier thereof is the sample drawn from the receptacle or container in which it is brought to his premises does not satisfy the filter paper test.

(3) No carrier of motor spirit shall accept it from an Oil Company or any other source without conducting a filter paper test on a sample of it offered for transport and he shall record the result of filter paper test in a register prescribed by the Commissioner.

16. *Power to require samples to be sent for analysis.*—Any officer of the Civil Supplies Department not below the rank of an Assistant Taluk Supply Officer may require a dealer or a carrier of petroleum product or the person in charge of the vehicle to send a sample taken in the measure specified by the Commissioner for analysis to a laboratory notified by the Government and it shall be the duty of such dealer or carrier or the person in charge of the vehicle to send the sample for analysis at his cost.

17. *Prohibition of sale, storage etc., of adulterated petroleum products.*—(1) No dealer shall sell or store and no carrier of petroleum products shall possess or transport adulterated petroleum products.

(2) The quality of petroleum product sold by a dealer shall conform to the specifications of 'petroleum class A' as defined in clause (b) of section 2 of the Petroleum Act, 1934 (Central Act 30 of 1934) or to the quality prescribed by the Indian Standards Institution.

(3) Sale or storage of adulterated petroleum product by a dealer will entail cancellation of licence of the dealer and possession or transport of adulterated petroleum product by a carrier of petroleum product will entail confiscation of the vehicle transporting such petroleum product under the provisions of section 6A of Essential Commodities Act, 1955.

18. *Dealers to give facilities for inspection etc.*—Any Oil Company, dealer or a carrier of petroleum product shall give to any officer of the Civil Supplies Department not below the rank of an Assistant Taluk Supply Officer or any Police Officer not below the rank of a Sub Inspector all facilities at all reasonable times—

(i) to inspect any book of accounts or any documents maintained by him in the course of his business;

(ii) to test the petroleum product in the outlet or in the tanker or lorry as the case may be;

(iii) to take samples of petroleum products from the premises of an Oil Company, the dealer or the carrier in which the petroleum products are transported or are proposed to be transported.

19. *Power of entry, search and seizure.*—(1) Any Officer of the Civil Supplies Department not below the rank of an Assistant Taluk Supply Officer or any officer of the Police Department not below the rank of a Sub Inspector may with a view to securing compliance with the provisions of this Order—

(a) inspect any dealer outlet and test the petroleum products in his stock and also take samples of the same for further analysis;

(b) seize the entire stock of petroleum products in his possession if he has reasons to believe that the petroleum products are adulterated;

(c) seize any book of accounts or other documents, maintained by the dealer which in his opinion would be useful for proceeding further under this Order;

(d) stop any lorry, tanker or any other vehicle transporting petroleum products and test the petroleum products contained in the vehicle;

(e) seize the vehicle transporting petroleum products if he has reasons to believe that the petroleum products are adulterated or any of the provisions of this Order is violated.

(2) The provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), relating to search and seizure shall, so far as may be, apply to search and seizure under this clause.

(3) Where any of the authorities specified in sub-clause (1) effects any seizure under the said sub-clause, he shall prepare forthwith an inventory of petroleum products, vehicle or other articles seized and shall also issue a receipt for the same.

(4) Any books of accounts or other documents seized under the provisions of sub-clause (1) shall be returned to the person from whom they were seized not later than sixty days from the date of seizure, after taking copies thereof, or extracts therefrom, if necessary, provided that the person from whom they are so seized certifies as true such copies or extracts before taking back the books of accounts or other documents.

(5) Where a stock of petroleum products or a vehicle liable for confiscation is seized under the provisions of this Order, the Officer making the seizure shall take all measures necessary for securing the production of petroleum products or the vehicle before the appropriate court and for the safe custody of the same pending such production.

Explanation:—"Appropriate Court" in this sub-clause shall mean such court as is specified in or under the Essential Commodities Act, 1955, in which proceedings would lie for contravention of the provisions of this Order and shall also include the Collector of the District referred to in section 6A.

20. *Cancellation or suspension of licence or forfeiture of security.*—(1) If the holder of a licence under this order or any other person acting on his behalf contravenes any of the provisions of this Order or the terms and conditions of the licence, the licensing authority or any higher authority may for reasons to be recorded in writing suspend, cancel or modify the licence or order for the realisation of the value of petroleum products found as shortage or in excess or for forfeiture of the whole or any part of the security deposit:

Provided that no Order shall be passed under this clause unless the licensee has been given a reasonable opportunity of stating his case and an opportunity of being heard in person.

21. *Sanction for prosecution.*—No person shall be prosecuted for contravention, or for attempt to contravene or for abetment of contravention of any of the provisions of this Order or of the terms and conditions of the licence or permit issued to him under this Order or of the directions issued by the Government or the Commissioner or the licensing authority except with the previous sanction of the Collector.

22. *Appeal and revision.*—(1) From any order refusing to grant or renew a licence or cancelling, suspending or modifying a licence or for realisation of the value of petroleum products found as shortage or in excess or for forfeiture of security an appeal shall lie, within 30 days from the date of communication of such order—

(i) in the case of an order passed by the Commissioner to the Government;

(ii) in the case of an order passed by the District Collector to the Commissioner; and

(iii) in the case of an order passed by the District Supply Officer; to the District Collector; and the decision of the Government or the Commissioner or the District Collector as the case may be, on such appeal shall, subject to the provisions of sub-clause (2), be final.

(2) The Government may on application received within thirty days of the date of receipt by the aggrieved person of the copy of the order passed by the Commissioner call for the records of the said order for the purpose of satisfying themselves as to the legality or propriety of the said order and pass such orders as they deem fit:

Provided that no order to the disadvantage of a person shall be passed under this clause without giving him an opportunity of being heard in person.

23. *Order not to apply to certain organisations.*—Nothing contained in this order shall apply to the Railways, the Armed Forces of the Union, Departments of the State Government, the Kerala State Road Transport Corporation or the Kerala State Electricity Board, or supply to them or storage by them of petroleum products, and ocean going vessels (not inclusive of fishing crafts) calling at any port of Kerala.

24. *Exemption.*—The Government may, if they consider it necessary in the public interest so to do, by notification in the Gazette exempt, any person, from the operation of all or any of the foregoing provisions of this order.

APPENDIX

Form 'A'

Application for grant/renewal of licence to carriers of petroleum products

[*See* sub-claues (1) of clause 4]

1. Name of applicant with his address
2. Nature of ownership of the vehicle (Whether registered owner/hire purchaser/contractor).
3. Name of oil company whose product is carried.
4. Registration number of vehicle
5. Class of vehicle with chassis No. and make—model.
6. Name of petroleum products to be carried.
7. Capacity of the vehicle/compartment (If more compartments are available in the vehicle, capacity of each compartment to be furnished).
8. Details of licence if any obtained previously and if so reason for applying for fresh licence.
9. District/Districts to which the carrier indents to carry petroleum products
10. Details of remittance of licence fee/renewal fee.

Place: *Signature of applicant.*

Date:

FORM 'B'

Licence to carrier of petroleum products

[*See* sub-clause (1) of clause 4]

1. Licence No.
2. Class of vehicle with chassis No. and make—model
3. Name and address of registered owner
4. Name of oil company whose product is carried.
5. Registration No. of the vehicle
6. Name of petroleum products intended to carry
7. Capacity of product in each compartment. If more than one compartment is provided in the vehicle, capacity of each compartment.
8. Whether the vehicle is used as carrier by the registered owner or by any oil company under a hire purchase/contract agreement.

Place:

Seal

Designation and Signature of issuing Authority.

Date:

Instructions

1. The licence shall be obtained by a registered owner/hire purchaser/contractor from the District Collector under whose jurisdiction he resides/is doing business.

2. The licence is not transferable.

3. The licence shall be kept with the vehicle.

4. When the vehicle is continuously kept in a District other than from where the licence is obtained for a period exceeding 6 months, the licence shall cease to be valid and a fresh licence has to be obtained from the authority concerned under whose jurisdiction the vehicle is kept beyond that period.

5. When the registered owner of the vehicle/hire purchaser/contractor shifts his residence/business place the licence shall be surrendered to the authority by whom it was issued and a fresh licence obtained from the authority under whose jurisdiction the registered owner/hire purchaser/carrier resides is doing business.

6. The licence shall cease to be valid in the event of change of ownership/hire purchaser/contractor.

7. If the vehicle has been rendered incapable of being put for use by garying it or otherwise, the fact shall be intimated to the licensing authority and the licence shall be surrendered within 14 days of such an event.

8. This licence is valid upto..................

Licensing Authority.

FORM 'C'

Permit issued under clause 7 of the Kerala Petroleum Products Dealers' Licensing Order, 1981

1. Permit No.
2. Name and address of permit holder
3. Quantity of pertoleum products permitted to be eceived
4. Name and address of dealer with whom the permit is to be registered
5. Purpose for which the petroleum products are received
6. Signatur of permit holder

Conditions

1. The permit shall not be transferable.
2. Permit holder shall obtain petroleum products only for bonafide purpose.
3. Petroleum products shall be obtained only from registered dealers.
4. Permit holder shall not possess petroleum products at a time in excess of the quantity permitted as per this permit.
5. The permit shall be produced for inspection at any time by the inspecting authorities.
6. The permit shall be surrendered to the issuing authority on the expiry of the validity or when it is no longer required by the permit holder.
7. Permit shall be valid till..........

Signature of Issuing Authority.

Place:

Designation:

Date:

Reverse

Details of petroleum products issued

198	*H.S.D.*	*Motor spirit*	*Cooking Gas/ lubricants*	*Date of issue and signature of dealer*	*Remarks*
April					
May					
June					
July					
August					
September					
October					
November					
December					
January					
February					
March					

FORM 'D'

Form of application for dealer's licence/renewal of licence from an existing dealer

[*See* sub-clause (1) of clause (11)]

1. Applicant's name and address
2. Applicant's place of business
3. Whether the applicant has been trading in petroleum products and if so for what period
4. Whether the application is for
   (a) a new licence, or
   (b) renewal of licence. In the case of an application for renewal specify No. and date of existing licence
5. The name of the Oil Company from whom the dealership has been taken
6. Quantity of petroleum products handled annually by the applicant during the last 2 years
7. Average daily sales of petroleum products
8. Whether the following documents have been enclosed
   (i) A letter from the Oil Company appointing him as a dealer
   (ii) Licence from the District Collector under the Explosives Act for the storage of petroleum products
9. Details of places where petroleum product is to be stored
10. Number and date of chalan and name of the treasury into which the licence fee of Rs. 15/Rs. 10 has been remitted (attach the chalan in original).

I declare that to the best of my knowledge the particulars given above are true and correct.

Signature of applicant

To

The District Collector

Note.—If the application is for renwal of licence, item No. 6 need not be filled up.

FORM 'E'

Form of application for dealer's licence/renewal of licence from a new dealer

[*See* sub-clause (2) of clause 11]

1. Applicant's name and address
2. Applicant's place of business
3. Whether the applicant had been a trader in petroleum products before and if so when and where (specify the period and place)
4. Whether the application is for—
   (a) a new licence, or
   (b) renewal of licence (in the case of an application for renewal specify No. and date of existing licence)
5. The name of the Oil Company from whom the dealership has been taken/applied for
6. Whether the following documents have been enclosed—
   (i) a letter from the Oil Company agreeing to appoint him as a dealer
   (ii) Licence from the District Collector under the Explosives Act for the storage of petroleum products
7. Details of place where petroleum products are proposed to be stored
8. Number and date of chalan and name of treasury into which the licence fee of Rs. 15/Rs. 10 has been remitted (attach the chalan in original).

I declare that to the best of my knowledge the particulars given above are true and correct.

Signature of applicant.

To

The District Collector.

FORM 'F'

Form of Dealer's Licence

[*See* sub-clause (3) of clause 11]

Subject to the provisions of the Kerala Petroleum Products Dealer's Licensing Order, 1981 and to the terms and conditions of this licence............................is/are hereby appointed as the authorised retail dealer of the petroleum products specified below:

Name of products (1)..

(2)..

2. The licensee shall carry on the business of purchase, storage, sale and distribution of the above petroleum products at the following place:—

....

....

Note.—Where the same person carries on business in more than one place, a separate licence shall be obtained in respect of each of such places and the registers and returns referred to in paragraphs 4 and 5 below shall be maintained and submitted separately for each such place.

3. The licensee shall not store petroleum products in any place other than that specified in paragraph 2 above, except with the approval in writing of the District Collector or the District Supply Officer.

4. The licensee shall maintain a register of daily accounts in Form H in respect of all transactions of petroleum products which came in his possession or control showing correctly,—

(a) the opening stock on each day;

(b) the quantity and the brands of petroleum products received on each day showing the names of the suppliers,

(c) the quantities sold, delivered, or otherwise disposed of on each day showing the names of consumers;

(d) the closing stock on each day.

5. The licensee shall submit to the Taluk Supply Officer every week, so as to reach him not later than every Monday, a true and correct return in Form I of the stocks, receipts, deliveries and balance during the week ended on the previous Sunday.

6. The licensee shall exhibit in a prominent position at his place of business a statement showing the following particulars in Malayalam, namely:

STATEMENT

1. Price per litre . .
2. Opening stock on..............................(date)

7. The licensee shall not sell petroleum products at a price which is in excess of the price fixed by the Government of India from time to time.

8. The licensee shall issue to every consumer a receipt in Form J and shall keep a duplicate of the same to be open for inspection on demand by any officer authorised by the District Supply Officer.

9. The licensee shall give all facilities at all reasonable hours to the District Collector or any officer of the Civil Supplies Department not below the rank of an Assistant Taluk Supply Officer or any officer of the Police Department not below the rank of a Sub Inspector, as the case may be, for the inspection of the accounts and stocks wheresoever they may be kept and for taking samples of petroleum products for examination.

10. The licensee shall comply with all directions that may be issued from time to time generally to all retail dealers or to him in particular by the District Collector, the District Supply Officer or Taluk Supply Officer in regard to the purchase, sale, storage or distribution of petroleum products.

11. The licensee shall not have in his possession or control any quantity of petroleum products in excess or short of the net quantity revealed by his accounts.

12. Contravention of any of the conditions of the licence, whether by the licensee or his agent or servant or by any person who can reasonably be presumed to have been acting on his behalf, shall render the licence liable to cancellation, suspension or modification. The licensee shall also be liable for realisation of the value of petroleum products found as shortage and for forfeiture of the whole or any part of the amount remitted by him as security.

13. The licensee shall sell only such quantities of petroleum products to each person or institution, as may be specified in this behalf from time to time.

14. The licensee if authorised to deal with motor spirit or high speed diesel oil shall have in his possession ready for use in his business a Can certified either by the Controller of Weights and Measures or an Officer nominated by him or by the Oil Company as a correct measure of five litres or of such other quantity as may be specified by Government.

15. Free air and water will be provided to customers by dealers of motor spirit and high speed diesel oil as hitherto.

16. The licensee shall execute an agreement with the Taluk Supply Officer in form G and shall remit the amount prescribed by the Government as security.

17. The licence shall be valid upto 31-3-19......

Place: *District Supply Officer*

Date:

FORM 'G'

[*See* sub-clause (2) of clause 12]

Form of Agreement to be executed by the dealer under clause 12 (2) of the Kerala Petroleum Products Dealer's Licensing Order 1981

THIS AGREEMENT IS EXECUTED on this the.................. day of...one thousand nine hundred and eighty.. BETWEEN the Governor of Kerala (hereinafter referred to as "the Government") of the one part and Shri.................................. (H. E. the name and address of the dealer), hereinafter referred to as "the Bounden") of the other part;

WHEREAS at the request of the Bounden the Government have appointed the Bounden as the dealer for the purchase, storage, sale and distribution of petroleum products under the Kerala Petroleum Products Dealers' Licensing Order, 1981 as amended from time to time (hereinafter referred to as "the Licensing Order").

NOW THESE PRESENTS WITNESS AND IT IS HEREBY MUTUALLY AGREED as follows:—

1. The Bounden shall abide by all the terms and conditions contained herein, in the licensing order and in the Schedule hereto appended.

2. The Bounden has deposited in the............................ as per......................a sum of Rs.......................... by way of security for the due fulfilment of the terms and conditions herein contained, those contained in the Licensing Order and in the Schedule hereto appended.

3. In case the Bounden commits breach of any of the provisions herein contained or those in the Licensing Order or those contained in the Schedule, the Government, Collector or any officer of the Civil Supplies Department not below the rank of a District Supply Officer, as the case may be, shall have the power and authority to cancel this agreement or to forfeit the security amount deposited under caluse 6 and also to recover the amount, if any, found due to the Government in the manner hereinafter provided.

4. All sums found due to the Government under or by virtue of this agreement shall be recoverable from the Bounden and his properties, both movable and immovable, under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of public revenue due on land and in such other manner as the Government may deem fit.

5. The Bounden shall be bound by all amendments made to the Licensing Order by the Government from time to time and he shall not have any right to question it on any ground.

IN WITNESS WHEREOF Shri.. ....(H.E. name and designation)........................... for and on behalf of the Governor of Kerala and Shri..................... the Bounden have hereunto set their hands the day and year first above written.

SCHEDULE

1. The Bounden shall carry on the business of purchase, storage, sale and distribution of petroleum products at the following place/places, the details of which are given below, namely:—

House No.
Ward
Municipality/Corporation/Panchayat
Name of Place (Taluk...............................
District...............................)

2. The Bounden shall not store, sell or distribute petroleum products in any place other than that specified in paragraph 1 above, except with the previous approval in writing of the District Supply Officer.

3. The Bounden shall maintain a register in Form H appended to this agreement daily accounts showing correctly all transactions of petroleum products in his possession.

4. The Bounden shall submit to the Taluk Supply Officer every week, so as to reach him not later than every Monday, a true and correct return in Form I appended to this agreement of the stocks, receipts, deliveries and balance during the week ended on the previous Sunday.

5. The Bounden shall exhibit in a prominent position at his place of business a statement showing the following particulars in Malayalam, namely:

STATEMENT

1. Name of petroleum product
2. Price (per litre or per unit)
3. Opening stock on.....................(date).

6. The Bounden shall not sell petroleum products at a price higher than that fixed from time to time by the Government of India or other competent authorities.

7. The Bounden shall issue to every consumer a receipt in Form 'J' appended to the agreement duly filled and shall keep a duplicate of the same to be open for inspection on demand by any officer authorised by the licensing authority.

8. The Bounden shall give all facilities at all reasonable hours to the District Collector or any officer of the Civil Supplies Department not below the rank of Assistant Taluk Supply Officer, as the case may be, for the inspection of the accounts and stocks wheresoever they may be kept and for taking samples of petroleum products for examination.

9. The Bounden shall comply with all directions that may be given to him by the District Collector, District Supply Officer or Taluk Supply Officer as the case may be, in regard to the purchase, sale, storage or distribution of petroleum products.

10. The Bounden shall not have in his possession or control any quantity of petroleum products in excess or short of the net quantity revealed by his account.

11. Contravention of any of the conditions of the licence granted to him under clause 11 of the Licensing Order, whether by the Bounden or by his agent or servent or by any person who can reasonably be presumed to have been acting on his behalf shall render the licence liable to cancellation, suspension or modification.

12. When the licence granted to the Bounden is cancelled suspended or modified, the stocks of petroleum products available with him at the time of such cancellation or suspension shall be disposed of by such officer and in such manner as the officer ordering such cancellation or suspension may direct.

13. The Bounden shall sell only such quantities of petroleum products to each person or institution as may be specified in this behalf from time to time.

14. The Bounden if authorised to deal with motor spirit or high speed diesel oil shall have in his possession ready for use in his business at least one set of measures of Can whose capacity in litres is marked clearly upon it and which is of such capacity as to enable the dealer to measure out readily the quantities commonly asked for by the public, namely, one litre, five litres, half a litre etc.

15. Free air and water will be provided to customers by dealers of motor spirit or high speed diesel oil as hitherto.

16. If the Bounden desires to get the licence revoked on his own accord, one month's notice shall be given to the District Supply Officer, and his permission in writing shall be obtained.

Signed by Shri..............

In the presence of witnesses:—

(1)

(2)

Signed by Shri..............

In the presence of witnesses:—

(1)

(2)

FORM 'H'

(*See* clause 3 of the Schedule of Agreement)

Register Showing Transactions of Petroleum

1. Name of dealer Date............
2. Licence No.
3. Opening stock of the day
4. Receipt on the day
   (a) Quantity
   (b) Brand(s)
   (c) Name(s) of supplier(s)
5. Sale/delivery/disposal
   (a) Quantity
   (b) Name(s) of consumer(s)
6. Closing stock

Signature ....
Name ....
Licence No..........

FORM 'I'

(*See* clause 4 of the Schedule of Agreement)

Weekly return of Stocks, Receipts, Deliveries and balance of Petroleum Products during the week ended..........

1. Name of Dealer
2. Licence No.
3. Opening stock of the week
4. Receipt during the week (from Monday to Sunday next following)
5. Delivery during the week (from Monday to Sunday next following)
6. Balance in stock

Place: Signature........
Date: Name ....
Licence No. ....

To
The Taluk Supply Officer,

FORM 'J'

(*See* clause 7 of the Schedule of Agreement)

Receipt

Name of Dealer...................... Place..................

Licence No......................... Date..................

Name of Consumer ....

Particulars of sale

(1) Quantity of petroleum products sold:

(2) Rate per litre or unit Rs. ......Ps.......

(3) Total amount charged Rs. ......Ps.......

Signature................

By order of the Governor,

T. MADHAVA MENON,
Special Secretary.

Explanatory Note

(This is not part of the Notification but is intended to indicate its general purport).

Petrol, High Speed Diesel Oil, petroleum-based lubricants and cooking gas are now sold by dealers appointed by the Oil Companies. Government have no control over these dealers. Consequently, Government are unable to deal with the various malpractices committed by the dealers. There are widespread complaints that petroleum products sold are adulterated and sometimes correct quantity is not given to the consumers. Government have decided to curb these malpractices. The above Notification is intended to achieve these objectives.

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1981

Reg. No. KL/TV/[illegible]

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Friday, 22nd May 1981 / 1st Jyaistha 1903 (Saka) [No. 392

കേരള സർക്കാർ

ഗതാഗതവും, മത്സ്യബന്ധനവും, തുറമുഖങ്ങളും (ബി) വകുപ്പ്

പ്രഖ്യാപനം

നമ്പർ 9826/റ്റി.ബി.2/81/റ്റി.എഫ്. ആൻറ് പി.

തിരുവനന്തപുരം,
തീയതി 1981 മേയ് 8.

എസ്.ആർ.ഓ. നമ്പർ 604/81.—ഇൻഡ്യൻ ഭരണഘടന 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം യൂണിയന്റെ ആവശ്യത്തിനായി കേരളസംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21) അനുസരിച്ചുള്ള കേന്ദ്രസർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ആക്ററ് 19-ാംവകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ററ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമിയ്ക്ക് ബാധകമാകുന്നതല്ലെന്ന് കേരള സർക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, കേരളസർക്കാർ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.2209 ഹെക്ററർ വിസ്തീർണ്ണം ഉള്ളതുമായ ഭൂമി, അത് അത്രതന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ, ആയിരുന്നാലും വേണ്ടതില്ല ഒരു പൊതുക്കാര്യത്തിന്, അതായത്, എറണാകുളം ആലപ്പുഴ ബ്രോഡ്ഗേജ് റയിൽപാത നിർമ്മിക്കുന്നതിന് ആവശ്യമുണ്ടെന്ന് പ്രസ്തുത ആക്ററ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുന്നു, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള

33/1739/V.

ഉത്തരവു വാങ്ങാൻ പ്രസ്തുത ആക്ററ് 7-ാം വകുപ്പുപ്രകാരം ആലപ്പുഴ റെയിൽവേ ലാൻഡ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹസിൽദാരോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. മാത്രമല്ല പ്രസ്തുത ആക്ററ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിട്ടുളള നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചുദിവസം കഴിയുമ്പോൾ കളക്ടർക്ക് പ്രസ്തുത ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്ന് പ്രസ്തുത ആക്ററ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരം സർക്കാർ നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പ്രസ്തുത സ്ഥലത്തിന്റെ ഒരു പ്ലാൻ ആലപ്പുഴ റെയിൽവേ ലാൻഡ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹസിൽദാർ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോൾ വേണമെങ്കിലും അതു പരിശോധിക്കാവുന്നതാണ്.

പട്ടിക

ജില്ല—ആലപ്പുഴ.

താലൂക്ക്—അമ്പലപ്പുഴ. വില്ലേജ്—മാരാരിക്കുളം തെക്ക്.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

(ബ്ലോക്ക് നമ്പർ 18)

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ഹെക്ടറിൽ)
1	181/4-2	പുരയിടം	0.0425
2	181/5-എ5	,,	0.0049
3	181/5-എ6	,,	0.0049
4	183/18-2	നിലം	0.0188
5	183/19-2	,,	0.0071
6	183/20-ബി2	,,	0.0400
7	183/20-എ	,,	0.0040
8	183/21-2	,,	0.0225
9	183/23-2	,,	0.0368
10	183/25-ബി3	,,	0.0394
		ആകെ	0.2209

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,

വി. ശങ്കരൻ നായർ,

അഡീഷണൽ സെക്രട്ടറി.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സാധിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്)

ഇൻഡ്യൻ രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം സംസ്ഥാനത്ത് കേന്ദ്രസർക്കാരിന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭാരമേൽപ്പിച്ചിരിക്കുകയും, മേൽപറഞ്ഞ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത് ആലപ്പുഴ എറണാകുളം ബ്രോഡ്ഗേജ് റെയിൽവേപാത നിർമ്മിക്കുന്നതിന് ആവശ്യമാണ് എന്ന് സംസ്ഥാന സർക്കാരിന് തോന്നുകയും ചെയ്യുന്നു.

പ്രസ്തുത ആവശ്യം നിറവേററുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ പ്രഖ്യാപനം.

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TRIVANDRUM, 1981

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Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Friday, 22nd May 1981 / 1st Jyaistha 1903 (Saka) [No. 391

കേരള സർക്കാർ

ഗതാഗതവും, ഫിഷറീസും പോർട്ട്സും (ബി) വകുപ്പ്

പ്രഖ്യാപനം

നമ്പർ.8791/ററി.ബി2/81/ററി എഫ് ആൻറ് പി.

തിരുവനന്തപുരം, 1981 മേയ് 8.

എസ്. ആർ. ഒ. നമ്പർ 603/81 ഇന്ത്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/1963 ജുഡീഷ്യൽ II എന്ന വിജ്ഞാപനപ്രകാരം കേരളാ സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരളസ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) അനുസരിച്ചുള്ള കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിന് അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പ് പ്രകാരം സംഗതിയുടെ അടിയന്തിര സ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന ഭൂമിക്ക് ബാധകമാകുന്നതല്ലെന്ന് കേരളസർക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുക്കാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

ഇപ്പോൾ അതിനാൽ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.9408 ഹെക്ടർ വിസ്തീർണ്ണം വരുന്നതുമായ ഭൂമി അത് അത്രതന്നെയോ, അതിൽ അൽപ്പം കൂടുതലോ കുറവോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുക്കാര്യത്തിന് അതായത് മൂവാററുപുഴയിലെ ടെലികമ്മ്യൂണിക്കേഷൻ സംവിധാനം വിപുലീകരിക്കുന്നതിന് ആവശ്യമുണ്ടെന്ന് പ്രസ്തുത ആക്റ്റ് 6-ാം വകുപ്പു പ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവു വാങ്ങുവാൻ പ്രസ്തുത ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം മൂവാററുപുഴ റവന്യൂ ഡിവിഷണൽ ആഫീസറോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പ്രസ്തുത ആക്റ്റ് 9-ാം വകുപ്പു (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിട്ടുള്ള നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചുദിവസം കഴിയുമ്പോഠം കളക്ററർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും പ്രസ്തുത ആക്ററ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരം ഗവൺമെൻറ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പ്രസ്തുത സ്ഥലത്തിൻെറ ഒരു പ്ലാൻ മൂവാററുപുഴ റവന്യൂ ഡിവിഷണൽ ഓഫീസറുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഠം വേണമെങ്കിലും അത് പരിശോധിക്കാവുന്നതാണ്.

പട്ടിക

ജില്ല—എറണാകുളം.

താലൂക്ക്—മൂവാററുപുഴ. വില്ലേജ്—മാറാടി.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിട്ടുള്ളത്).

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടർ
1	366/5-1	പുരയിടം	0.0789
2	366/5-2	,,	0.0395
3	366/5-3	,,	0.0394
4	366/12എ-2	,,	0.2777
5	366/12-എ3	,,	0.1494
6	366/12-എ4	,,	0.1796
7	366/12-എ7	,,	0.0792
8	366/12-ബി	നിലം ഇപ്പോഠം പുരയിടം	0.0971
		ആകെ	0.9408

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
പി. ശങ്കരൻനായർ,
അഡീഷണൽ സെക്രട്ടറി.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിൻെറ ഭാഗമല്ല. എന്നാൽ അതിൻെറ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന വിജ്ഞാപനത്തിൽ സംസ്ഥാനത്ത് കേന്ദ്രസർക്കാരിൻെറ ആവശ്യത്തിലേക്ക് ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ളഅധികാരം കേരളസർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിട്ടുള്ളതും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങഠം ഒരു പൊതുക്കാര്യത്തിന് അതായത് മൂവാററുപുഴ ടെലികമ്മ്യൂണിക്കേഷൻ സിസ്ററം വികസിപ്പിക്കുന്നതിന് ആവശ്യമാണെന്ന് സംസ്ഥാനസർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതും ആകുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിലേക്ക് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

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KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Transport Fisheries and Ports (Transport-B) Department

DECLARATION

No. 2820/TB2/81/TF&P. *Dated, Trivandrum, 11th May* 1981.

S. R. O. No. 605/81.—Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution of India the President has, in notification No. 2/4/63 Judl. II dated 31-5-1963, entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to the acquisition of lands for the purpose of the Union in this State of Kerala.

And, whereas under subsection (4) of Section 19 of the said Act, the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the lands specified in the schedule below ;

And whereas the Government of Kerala are satisfied that the said lands have to be acquired for a public purpose ;

Now, therefore, the Government of Kerala hereby declare under section 6 of the said Act that the lands specified in the Schedule below and measuring 0.9143 Hectare, be the same a little more or less, are needed for a public purpose to wit for the Construction of Ernakulam-Alleppey Broad Guage Railway line and under section 7 of the said Act direct the Special Tahsildar (Land Acquisition) Railways, Alleppey to take order for the acquisition of the lands. Further, under subsection (1) of section

33/1740/B.

19 of the said Act, the Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of section 9 of the said Act.

A plan of the lands is kept in the office of the Special Tahsildar (Land Acquisition) Railways Alleppey and may be inspected at any time during office hours.

SCHEDULE

District—Alleppey. Taluk—Ambalapuzha.

Village—Mararikulam South.

(The extent given is approximate)

Sl. No.	*Sy. No.*	*Description*	*Extent in hectare*
(1)	(2)	(3)	(4)
		(Block No. 18)	
1	200/1A-6	Dry	0.0575
2	200/1A-8	„	0.0550
			0.1125
		(Block No. 19)	
1	199/18-11	Dry	0.0330
2	199/18-14	„	0.0090
3	199/18-13	„	0.0315
4	199/18-12	„	0.0300
5	199/18-15	„	0.0600
6	199/25-2	Wet	0.0020
7	199/26-2	Dry	0.0002
8	199/30-2	Wet	0.0095
			0.1752
		(Block No. 20)	
1	197/20 A-10	Dry	0.0499
2	197/20 A-11	„	0.0260
3	177/20 A-13	„	0.0211
4	197/20 A-12	„	0.0012
5	197/20 A-14	„	0.0069
6	197/20 A-15	„	0.0980
7	223/24 A-2	„	0.0236
			0.2267

(1)	(2)	(3)	(4)
		Block No. 21	
1	224/1A-4	Dry	0.0095
2	224/1A-5	,,	0.0038
3	224/1A-6	,,	0.0324
4	224/1A-7	,,	0.0797
5	224/7A-2	,,	0.0240
6	224/7C-2	,,	0.0600
7	224/8A-3	Wet	0.1095
8	224/8A2B	Dry	0.0810
	2		
			0.3999

Explanatory Note

(This is not part of the notification, but is intended to bring out the purport.)

President of India has in notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire land for the use of Central Government in the State. and it appears to the State Government that the lands mentioned in the Schedule above is needed for a public purpose viz. for the construction of Ernakulam-Alleppey Broad Guage Railway line.

This declaration is intended for the above purpose.

എസ്. ആർ. ഒ. നമ്പർ. 605/81.—ഇൻഡ്യൻ ഭരണഘടന 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡം നൽകുന്ന അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 31-5-1963 ലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനപ്രകാരം കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പു പ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമിക്ക് ബാധകമാകുന്നതല്ലെന്ന് കേരള സർക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും ;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, കേരളസർക്കാർ, പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 0.9143 ഹെക്ടർ വിസ്തീർണ്ണത്തിൽ അൽപ്പം കൂടുതലോ കുറവോ വരുന്നതുമായ ഭൂമി ഒരു പൊതുകാര്യത്തിന്, അതായത് എറണാകുളം-ആലപ്പുഴ

ബ്രോഡ്ഗേജ് റയിൽപ്പാത നിർമ്മിക്കുന്നതിന് ആവശ്യമുണ്ടെന്ന് പ്രസ്തുത ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം പ്രഖ്യാപിക്കുകയും, പ്രസ്തുത ആക്റ്റ് 7-ാം വകുപ്പുപ്രകാരം ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവു സ്വീകരിക്കാൻ റയിൽവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാരോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. മാത്രമല്ല പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം സർക്കാർ പ്രസ്തുത ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിയുമ്പോൾ കളക്റ്റർക്ക് പ്രസ്തുത ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും നിർദ്ദേശിക്കുന്നു.

പ്രസ്തുത സ്ഥലത്തിന്റെ ഒരു പ്ലാൻ ആലപ്പുഴ റെയിൽവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാരുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുള്ളതും ആഫീസ് സമയത്ത് എപ്പോഴും വേണമെങ്കിലും അത് പരിശോധിക്കാവുന്നതുമാകുന്നു.

പട്ടിക

ജില്ല—ആലപ്പുഴ. താലൂക്ക്—അമ്പലപ്പുഴ.

വില്ലേജ്—മാരാരിക്കുളം സൗത്ത്

(സുമാർ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

ക്രമ നമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ഹെക്ടറിൽ)
(1)	(2)	(3)	(4)
		(ബ്ലോക്ക് നമ്പർ 18)	
1	200/1എ-6	പുരയിടം	0.0575
2	200/1എ-8	,,	0.0550
			0.1125
		(ബ്ലോക്ക് നമ്പർ 19)	
1	199/18-11	പുരയിടം	0.0330
2	199/18-14	,,	0.0090
3	199/18-13	,,	0.0315
4	199/18-12	,,	0.0300
5	199/18-15	,,	0.0600
6	199/25-2	നിലം	0.0020
7	199/26-2	പുരയിടം	0.0002
8	19[illegible]/30-2	നിലം	0.0095
			0.1752

(1)	(2)	(3)	(4)
	(ബ്ലോക്ക് നമ്പർ 20)		
1	197/20എ-10	പുരയിടം	0.0499
2	197/20എ-11	,,	0.0260
3	197/20എ-13	,,	0.0211
4	197/20എ-12	,,	0.0012
5	197/20എ-14	,,	0.0069
6	197/20എ-15	,,	0.0980
7	223/24എ-2	,,	0.0236
			0.2267
	(ബ്ലോക്ക് നമ്പർ 21)		
1	224/1എ-4	പുരയിടം	0.0095
2	224/1എ-5	,,	0.0038
3	224/1എ-6	,,	0.0324
4	224/1എ-7	,,	0.0797
5	224/7എ-2	,,	0.0240
6	224/7സി-2	,,	0.0600
7	224/8എ-3	നിലം	0.1095
8	224/8എ-2ബി	പുരയിടം	0.0810
	2		
			0.3999

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് വേണ്ടിയുള്ളതാണ്).

രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63-ലെ ജുഡിഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനംമൂലം ഈ സംസ്ഥാനത്തെ കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിട്ടുള്ളതും മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത് എറണാകുളം ആലപ്പുഴ ബ്രോഡ്ഗേജ് റയിൽപ്പാത നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതും ആകുന്നു.

മേൽപ്പറഞ്ഞ ലക്ഷ്യം നിറവേററുന്നതിനുദ്ദേശിച്ചു കൊണ്ടുള്ളതാണ് ഈ പ്രഖ്യാപനം.

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary.

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33/1740/B.